



03-04-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: )  
 ) Group Art Unit: 3653  
ORR, STACY D., ET AL )  
 )  
Serial No. 10/716, 831 )  
 ) Examiner:  
Filed: 11/19/03 )  
 )  
Title: APPARATUS FOR DISPENSING VIALS )

Mail Stop PGPUB - ABD  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

EXPRESS MAIL TRANSMITTAL

Transmitted herewith is/are: Express Mail Transmittal (1 page); Petition for Express Abandonment to Avoid Publication Under 37 CFR 1.138(c) - 1 page; \$130.00 filing fee; and Return Postcard.

EL 993326982 US


("Express Mail" Mailing Label Number)

Respectfully submitted,

HOVEY WILLIAMS LLP

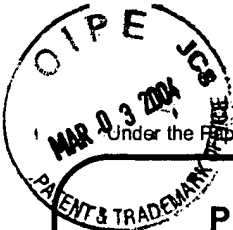
Dated: March 3, 2004

by

*for*  40565  
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ATTORNEYS FOR APPLICANT

(Docket No. 34218)

**PETITION FOR EXPRESS  
ABANDONMENT TO AVOID  
PUBLICATION UNDER 37 CFR 1.138(c)**

Fax the petition directly to the  
Pre-Grant Publication Division at (703) 305-8568  
Or Mail the petition to:  
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Application Number

10/716,831

Filing Date

11/19/03

First Named Inventor

Stacy D. Orr

Art Unit

3653

Examiner Name

Attorney Docket Number

34218

**Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)**

I hereby petition to expressly abandon the above-identified application to avoid publication.

**Petition Fee** – must be filed with petition to avoid delays in recognizing the petition.

- a. ☐ The Director is hereby authorized to charge the petition fee under 37 CFR 1.17(h) to  
Deposit Account No. \_\_\_\_\_.
- b. ☒ Check in the amount of \$ 130.00 is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 is enclosed).

**NOTE:** A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01. In addition, the paper will not stop publication of the application unless a petition under 37 CFR 1.138(c) is recognized and acted on by the Pre-Grant Publication Division in sufficient time to avoid publication (e.g., more than four (4) weeks prior to the projected publication date).

I am the: ☐ applicant.

03/08/2004 AWONDAF1 00000054 10716831

01 FC:1460

130.00 DP


☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record. Registration Number 37,874

  
Signature

March 3, 2004  
Date

 Thomas B. Luebbering  
Typed or printed name

816-474-9050  
Telephone Number

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.138(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: MailStop PGPub-ABD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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